

Edict P.H. (1943) Department.

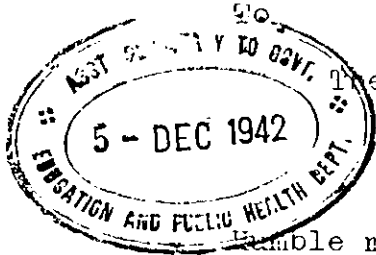
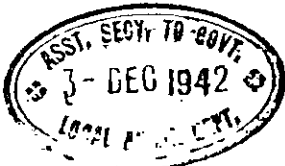
Ms SERIES.

G.O. No.	139	P.H.
		14
Dated	19	1 43

[Despatch Abstract.]

Building Rules - Mangalore MH - T.S.-No. 588 of 1943. Building belonging to

Hanumantha - Permission - order issued



The Government of Madras,
Local Self Government,
M A D R A S.

Mangalore.

30th Nov. 1942.

L. A. Keetha

Edn. & P. H. L.

*T.M.
4/12/42*

Humble memorial of:-

9752(9)

Mariamma,
Laughter of B. Husseinabba, *4/12*
Golikatta Bazaar,
MANGALORE TOWN.

Respected Sirs,

I most respectfully beg to submit the following for
favour of sympathetic consideration of Government and early
favourable orders:-

I am a widowed Kosha woman of humble means, my only
means of livelihood being a small building bearing T.S.No.
588 of 9th Ward of Mangalore Municipality. I am the owner
of the site of the building and I purchased the super-
structure on 9-2-1942 from the tenant, Novoor Yusouf Beari.

It appears the tenant had made certain alterations to
the wall of the building contrary to the building Rules and
certain proceedings were started against him by the Mangal-
ore Municipality which were pending at the time I purchased
the superstructure. I was not aware of the violation of
the building Rules nor of the proceedings in the matter
at the time of purchase.

I now find that I have been served by the Municipality
with a notice R.O.C.No.C4/5137/42 dated 3-11-1942 direct-
ing me to remove the unauthorised portion of the building
as the Government is reported to have refused to relax the
relevant rules.

I therefore respectfully beg to submit this memorial for a reconsideration of the question and to modify the original order on the grounds urged below:-

The building is an old ^{one} and when [^]of the walls gave way my predecessor is said to have merely repaired it without tampering either with the roof or the foundation of the building. But unfortunately this is interpreted as reconstruction which being a very technical matter was incomprehensible to an illiterate person.

It was usual to exempt persons from the operation of the 4 feet rule in proper cases and in this case I learn the Municipality has fully gone into the question and was pleased to recommend to Government for exemption.

I need hardly point out that it was not a new construction at all. For is the building an obstruction to traffic as it is sufficiently away from the edge of the road or roads, falling a little short of the actual 4 feet.

But I venture to point out in this connection that in estimating the road margin the actual width of the road and of the drain has not been properly taken into consideration and if this is done, there will not be even this technical violation of the 4 feet rule.

I also beg to point out that the demolition of the unauthorised portion will involve demolition of entire building. This may be verified by a reference to the Municipal Engineer.

If the building should be demolished I will be deprived of the only means of my livelihood and I pray that the Government may be pleased to reconsider its original order and modify the same so as to allow the building to remain intact.

I therefore humbly pray that the Government may be pleased to refer the matter once again to the Mangalore Municipality and grant necessary relief to a poor widowed Gosha woman.

I remain,
Respected Sirs,
Your most obedient servant,

The left hand thumb impression of Mariamma



Govt of Madras

Education and Public Health Department.

Endorsement no.

With ref^{ce} to her petition of
the 30th November 1942 the petition
Returned for resubmission
is requested to furnish
through the Commissioner, Mangalore Municipality

The case seems
to have been
considered before

~~to be~~ Court fee stamps of the value of -

Put up Rs

11/12/42 Rupees one and annas eight only.

M. S.
understand
fay.

To Mariamma,

Daughter of B. Hussainabba,

Kotikatta bazaar,

14/12/42 Mangalore Town!

Deputy Secretary to Govt

Re 11/12/42
5/12/42

with reference to the order of D.S. overleaf,

(H) No. 2400 P.H. dated 9.6.41 in

which the Govt. declined to exempt the building constructed by Yung Beary in

T.S. No. 588 IX Ward, Mangalore Mty,

from the operation of Building Rules is fort.

at (H). The case was fully gone through

before the exemption was refused - vide

D.T.S' remarks on page 9 (H). It is

seen from the petition that the building has

now been purchased by an illiterate woman out of ignorance. It is for your consideration whether

the petition should be returned for submission

into the necessary stamps for consideration

if it is really a case of reconstruction. ~~Whether the case may be~~ ~~reconstruction the new rule requiring~~ ~~summarily dismissed in reference to~~ ~~the front four feet space will not~~ ~~the order in No. at (H).~~

apply - The hon. Officer's records may be called for

May be sent
to D.T.P.
bait this be
sent to
D.T.P. for
disposal?

18/12/42

Re

16/12/42

18.12.42

18/12/42

Draft Sub?

Am
5-1-43.
56
571

5/5
STH (H)

Memo 9752(S)H-1/5-1-43

Building Rules —
Mangalore City — Build.
ing in TS No 588.

Dr
571

With reference to her
petition of the 30th Nov 1942
the petitioner is requested to
furnish Court fee stamps
of the value of One and
a

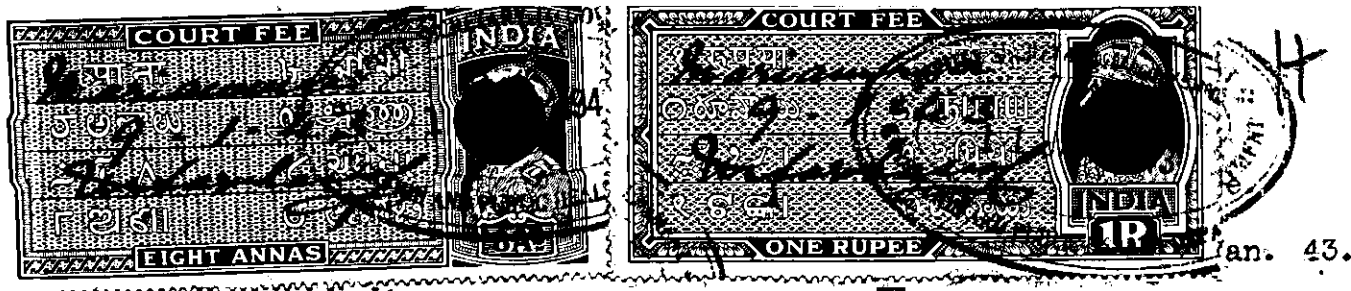
Half supper
2. The ^{attention of the} Municipal Commr,
Mangalore, is invited to his letter
No. Ref-C4-809-40 dt 15.1.4,
and he is requested to furnish
the mun! office records relating
to the case —

ws
4.1.43

p85 of (K)

ws
31.12.42

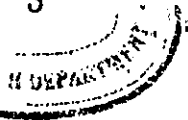
To Mariamma
Daughter of
B. Thaserial
Golikatta Bazaar
Mangalore
(para one only)
(The Commr of Mangalore to the Mun! office)



an. 43.

3

To



The Secretary to Govern
Education and Public Health Department,
M A D R A S.

986

Sir,

With reference to your Memorandum No. 9752(S)H-1 dated
5-1-1943 I beg to produce herewith Court Fee stamp of the
value of Re. 1-8-0.

I also beg to state that the Municipality has passed
an order to demolish the portion of my building and if they
should do so my above memorial to Government will become
infructuous. I have prayed in my memorial for an interim
order of stay to The Mangalore Municipality pending final
orders on my memorial but no stay has been granted so far.
I therefore request that the Government may be pleased to
order stay at least now and communicate the same by express
wire to the Municipality for which I have enclosed postage
stamps of the value of Re. 1-8-0. If this is not done, the
Municipality is sure to execute the order of demolition.

Your obedient servant,



Handwritten in Kannada script: "ಈ ಮೂಲಕ ನನ್ನ ಮಕ್ಕಳು ಎಲ್ಲರಿಗೂ ಸಲ್ಲಿಸುತ್ತಿರುವ ಕಡತವನ್ನು ನೋಡಿ." (Through this, the document I am submitting to all my children is being reviewed.)

Handwritten in Kannada script: "4 annas (one rupee, 4 annas)" and "A.S."

From

Mariamamma,
D/o B. Husseinabba,
Golikatta Bazaar,
MANGALORE.

Recd.
12/1/43

H

Department

Received

Registered

'From (Name)

Sri K. Ramaswami Mudaliar,
Commissioner,
Mangalore Municipality,
Mangalore.

Designation

Station

To

The Secretary to the Government of
Madras, Education & Public
Health Department, Madras
Through - The Chairman, Municipal Council
Mangalore.

Enclosures

No. R.O.C. C4/278/43 dated 9/11th January 1943

Sir,

Subject: Building -- Unauthorised construction
T.S.No. 588 of 9th ward.

Reference: Government Memorandum No. 9752(S) H-1
dated the 5th January 1943.

=====

The files of connected papers referred to
in the above Memorandum are herewith submitted.

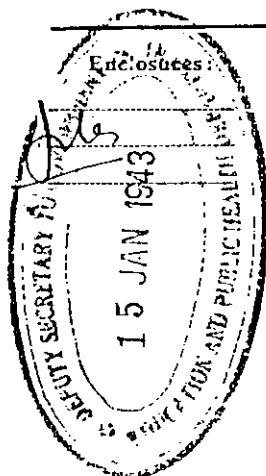
P. S. Sankar
12.1.43.

(K. C.)

COMMISSIONER.

Forwarded:

H. K. Sankar
CHAIRMAN, M.C.

H/12.1.43.a.comp'd:-*W*

21 ^{Am} / 19/11 43

LTH (H)

Building Rules - Mangalore Municipality -
TS No. 588 of P.H. Ward - Building
belonging to Mariamma - Permissions
orders issued

(H)
pages 1-3 of
p. 11 of

Read again: Corrs 2400 P.H. of 9.6.41
from Mariamma - P.H. of 30.11.42
from the M.C. Comm. Mangalore ^{of 9.1.43}
No. Ch - 278-43 of 9.1.43

11/11
18/11

Order 139 P.H. Dated 19-1-43
Ms.

The Comm. Mangalore
the Municipality orders in Corrs 2400
P.H. dated the 9.6. June 1941 are
herby

(H)

$$\begin{array}{r} 6 \overline{) 6.143} \\ \underline{6 } \\ 0 \end{array}$$
$$\frac{hs}{18.143}$$

The Mural Company
 Mangalore, India
 (with postage stamps for Rs 1-8-0)

C.No. 9752(S)

From Mariamma, Mangalore, dated 30th November 1942.

H-1-3 CF

Building Rules - Mangalore Municipality - Building in T.S.No. 588

The case seems to have been considered before. Put up.

V.V.S.
11-12-42.

(H)

With reference to the orders of D.S. G.O.No. 2400 P.M., dated 9th June 1941 in which the Government declined to exempt the building constructed by Yusuf Beary in T.S.No. 588 IX Ward, Mangalore Municipality, from the operation of Building Rules is put up at (M). The case was fully gone through before the exemption was refused - D.T.P.'s remarks on page 9 of (M). It is seen from the petition that the building has now been purchased by an illiterate woman out of ignorance. It is for orders whether the petition should be returned for resubmission with the necessary stamps for consideration by Government. If it is really a case of reconstruction the new rule requiring the ~~grant~~ front four feet space will not apply. The Municipal Office records may be called for.

H-1-2 CF

N.V.S.
18-12-42.

Yes

V.V.S.
31-12-42.

Draft submitted.

N.V.S.
31-12-42.V.V.S.
4.1.43.

5 CF. [Issued as Memo. 9752(S) H-1 dated 5-1-43]

no. 986.H/43 - From Mariamma, Mangalore, dated - Jan. 43.

From the Mem. Comd. Mangalore 170 Ch - 278-43
By S. I. 43

As directed in the memo at page 5 of the petition

has affixed the necessary Court fee stamps to her petition on page 7 of. The municipal records called for in the memo are awaited. have now been received

7 CF.

~~The petitioner requests that the Commission~~
may be directed to stay demolition of the unauthorised portion of her building, pending orders on her petition. For orders whether this may be done. It does not appear necessary to

send a flypaper. A memo may perhaps
serve the purpose.

975210

~~Subject to approval a draft memo is~~

~~submitted.~~

Ra
13/1/43.

It is clear from the papers

A in H/1
+ B in K/27

that this was a case of
reconstruction ~~of~~ a house in the
Mangalore Municipality and ~~under the~~
rules of the old rules was
infringed as the front open space of
4 ft was not left for the house —
The plans are on pages 14 and 21 of (K) —
On the recommendation of the D.T.
exemption ~~from~~ from the operation
of the Building Rules was refused
in G.O. No. 2400 P.W. dt. the 9.6.1941.

The party has now peti-
tioned the Govt. representing that
she is a poor widow and that
demolition of the building would
cause hardship & that exemption may
be granted — Since the above
rules were passed new Building
Rules have come into force,
and under rule 9 of these
rules the four feet space is
required in respect of new
Constructions only — As this
provision does not apply to
reconstructions

pages 1-3 of

reconstruction, there will no objection
to permission being accorded to this
building which has been completed.
If this view is agreed to, the draft
order below may be approved —

lws
16.1.43

lws
18.1.43